



GREENWOOD COMMON COUNCIL OCTOBER 18, 2004 MINUTES

Mayor Charles Henderson called the meeting to order at 7:00 p.m.

The audience recited the Pledge of Allegiance in unison, after which the Rev. Dane Sinn of the Smith Valley Baptist Church offered the invocation.

PRESENT:	Council members Bruce Armstrong, Ron Bates, Bill Bless, Ron Deer, John Gibson, Keith Hardin, Jessie Reed; and Clerk-Treasurer Jeannine Myers.
-----------------	---

Mr. Bates moved to accept the minutes of the regular session of October 4th, with second by Mr. Hardin. Vote: Ayes. Mr. Hardin moved to accept the minutes of the executive session on October 4th. Second was by Mr. Bates. Vote: Ayes.

As the City Attorney was ill, the Mayor suggested that Council members call her office during the week if there were questions regarding the Status of Tasks.

Mr. Armstrong announced that November 22nd at 7:00 p.m. is the next training session of the Plan Commission, at which time they will meet with the Council to discuss changes in the new zoning ordinances. The draft will be sent prior to the joint session, commented Planning Director Ed Ferguson.

ORDINANCE No. 04-46 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 22.43 Acres Located on the East Side of Honey Creek Road Immediately South of Alden Place Subdivision (commonly known as the Bright Farm Property). **CONTINUED UNTIL NOVEMBER 16, 2004 FOR FIRST READING AND PUBLIC HEARING.**

ORDINANCE No. 04-48 – An Ordinance Transferring Funds Within the Budget of the Parks and Recreation Department (\$15,000). Mr. Bates moved to pass Ordinance No. 04-48 through first reading. Second by Ms. Reed. Vote: Ayes. **PASSED FIRST READING.**

ORDINANCE No. 04-28 – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 51.54 Acres Located South of Curry Road, and Along the West Side of Honey Creek Road, and Commonly Known as the Forest Lawn Memory Gardens, Inc. Property. Mr. Bates moved to pass Ordinance No. 04-28 through second reading. Second by Mr. Bless. Mr. Armstrong clarified that the property is currently zoned R-2 in the County; the petitioner is asking for R-2A in Greenwood. Mr. Ferguson indicated that the zoning change was included in this ordinance because the territory west of Honey Creek Road is outside our buffer zone. The Plan Commission gave a favorable recommendation. Tim Sevens, the Development Coordinator for Mann Properties recounted that the Council voted 5-2 in favor at first reading, and the second reading was postponed at least thirty days from first reading to comply with State statute. Mr. Armstrong noted that the County zoning allows for denser development than R-2A that the petitioner is asking for. Mr. Stevens, in response to Mr. Bates, said the average home price will probably be in the \$180,000's. There are both 70- and 80-foot wide lots. Vote: Ayes – Bates, Bless, Gibson, Deer, Reed, Armstrong, Nay – Hardin. **PASSED SECOND READING.**

ORDINANCE No. 04-47 – An Ordinance Reducing Appropriations in the Funds of the City in Several Departments for Year 2004. Mr. Deer moved to pass Ordinance No. 04-47 on second reading. Second by Mr. Gibson. Vote: Ayes. **PASSED SECOND READING.**

RESOLUTION No. 04-25 – A Resolution Declaring Certain Real Property Improvements for Property Tax Abatement and Setting the Time and Place for a Public Hearing Thereon (Nachi Technology, Inc.). Mr. Hardin moved to pass Resolution No. 04-25 through second reading. Second was by Ms. Reed. Vote: Ayes – Deer, Gibson, Hardin, Reed, Bates, Bless; Nay – Armstrong. **PASSED SECOND READING.**

Mr. Armstrong noted that he had totaled the reductions in Ordinance No. 04-47 and the total is \$312,520.

ORDINANCE No. 04-49 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, approximately 82.27 acres located on the east side of Honey Creek Road, ¼ mile south of Cutsinger Road and ¼ mile north of Stones Crossing Road (commonly known as the Bertha E. Bertsch Revocable Trust Property). **INTRODUCED.**

ORDINANCE No. 04-50 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled “An Ordinance Establishing Comprehensive Zoning Regulations for the City of Greenwood, Indiana, and Providing For the Administration, Enforcement, and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana As Amended, and For the Repeal of All Ordinances in Conflict Herewith” (Proposed Rezoning of approximately 82.27 acres located on the east side of Honey Creek Road, ¼ mile south of Cutsinger Road and ¼ mile north of Stones Crossing Road (commonly known as the Bertha E. Bertsch Revocable Trust Property)). **INTRODUCED.** Mr. Stevens came forward to discuss this property and the related annexation ordinance, pointing out the location and surrounding area zoning for the Council. He told the Council that he felt the petition offered a good trade to try to have larger home sizes in the R-2A zones and went on to highlight the commitments, especially stressing the home size and masonry requirements. Mr. Bates moved to postpone Ordinance No. 04-49 and No. 04-50 until December 20th to comply with State statute. Second by Ms. Reed. Vote: Ayes. **ORDINANCES 04-49 AND 04-50 POSTPONED UNTIL DECEMBER 20, 2004 FOR FIRST READING AND PUBLIC HEARING.**

ORDINANCE No. 04-51 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 82.3 Acres Locates Approximately ¼ Mile South of Worthsville Road and West of Graham Road (commonly known as the Republic Development, LLC Property). **INTRODUCED.**

ORDINANCE No. 04-52 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled “An Ordinance Establishing Comprehensive Zoning Regulations For the City of Greenwood, Indiana, and Providing For the Administration, Enforcement, and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana As Amended, and For the Repeal of All Ordinances in Conflict Herewith” (Proposed Rezoning of approximately 82.3 acres located approximately ¼ mile south of Worthsville Road and west of Graham Road, commonly known as the Republic Development, LLC Property). **INTRODUCED.** Chris Long, on behalf of Republic Development, discussed the petition and the associated annexation. The request is to have R-2A zoning for 216 lots. Mr. Long highlighted the commitments for the Council and noted that the Plan Commission gave a favorable recommendation. Mr. Bates moved to postpone first reading and public hearing until December 20th on Ordinance No. 04-51 and Ordinance No. 04-52 to comply with State statute. Second by Mr. Armstrong. Vote: Ayes. **ORDINANCES 04-51 AND 04-52 POSTPONED UNTIL DECEMBER 20, 2004 FOR FIRST READING AND PUBLIC HEARING.**

RESOLUTION No. 04-26 – A Resolution of the Greenwood Common Council to Adopt the Written Fiscal Plan For the Annexation of Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, approximately 82.27 acres located on the east side of Honey Creek Road, ¼ mile south of Cutsinger Road and ¼ mile north of Stones Crossing Road (commonly known as the Bertha E. Bertsch Revocable Trust Property), Referencing Annexation Ordinance No. 04-49. **INTRODUCED.**

RESOLUTION No. 04-27 – A Resolution of the Greenwood Common Council to Adopt the Written Fiscal Plan for the Annexation of Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood,

Indiana, approximately 82.3 acres located approximately ¼ mile south of Worthsville Road and west of Graham Road (commonly known as the Republic Development, LLC Property), Referencing Annexation Ordinance No. 04-51. **INTRODUCED.**

Under miscellaneous business, Mr. Hardin reported that calls he received were 3 – 1 against the proposed aquatic center at this point. The Mayor, in response to Mr. Hardin's request for the Web Spy report that monitors activity on the Internet, said that he did not have the report. Mr. Hardin asked about the police vehicle report that he had requested and Chief Hessman had copies available. Regarding the ad hoc committee studying the space issues for the City, Mr. Hardin suggested that the committee reconvene and get architectural reports on the space available. Mayor Henderson indicated that a study was done a couple of years ago, and money would have to be appropriated for another one. Mr. Hardin asked for input from the Council.

Ms. Reed reported that she had a request for a sign "Children at Play" from a constituent on Meridian Street. Mayor Henderson agreed with Chief Hessman's assessment that there was a liability issue and said insurance companies now recommend that we do not put up those signs. Those signs give a false feeling of security to parents that children can play in the street, he added.

Mr. Bates asked if there had been developments on paying the sanitation bill on line. Mr. Ferguson replied that the office is working with the software provider for automatic payment drafts.

Mr. Deer commented that he will be out of town the week of November 22nd and asked if Plan Commission members and Council members had been polled on their availability for the joint session. Mr. Deer next recounted that there has been a right turn lane on northbound Emerson, south of Main Street at the intersection that now is changed to northbound traffic. Drivers can not turn right now, and he asked why the change was made. This was a request from constituents to keep traffic moving, Mr. Gibson commented. In response to the Mayor, Planning Director Ferguson said some site work has started on the old Amoco station. There is more right-of-way than normal. Mr. Ferguson thought the biggest problem when traffic could turn right on red at that intersection was that drivers would keep going no matter what the color of the light, without stopping. Mayor Henderson thought there was a stacking problem as well and asked Mr. Ferguson to have his staff look at that intersection.

Mr. Hardin reported that since there is a new trail system on Smith Valley, he has seen vehicles drive on the trail system. He wondered if there would be signage or barricades to keep vehicles from driving on the trail. Mayor Henderson stated that there would be posts put in so that drivers could not pull off.

Mr. Armstrong reported that progress is good on the Valle Vista streets. Even with the rain for the past couple of days, we are still being told that they will meet the contract date in late November.

Ms. Myers reported that Paige Gregory from H.J. Umbaugh had attended the tax levy appeal hearing in the City's behalf. The Board unanimously recommended approval. Next it goes to Commissioner Melissa Hanson, who has until December 31st to issue her decision. We hope to get an answer in about four weeks. Mayor Henderson noted that the only question from the Board was why we had waited so long to request the excess levy. Our tax rate per capita was \$209, he added, with the average in the 15 cities studied was \$336. Ms. Gregory told the control board that there were four areas of annexation not included in the report that we showed them would be coming.

Kris Kinnett of the Johnson County Development Corporation came forward from the audience to thank the Council for their attention to Nachi as they work to expand their facilities. He described them as a good corporate citizen. Johnson County Development Corporation represents 18 private industries that pay \$5,000 to be on the board. They are about 60% of the budget, added Mr. Kinnett, with the rest from the City of Greenwood, the City of Franklin and Johnson County. They are looking for manufacturing jobs, he said, that pay above average and are bringing a capital investment to this community.

Karl Kreck from the audience recounted that he supported the bond issue about 18 months ago for the Valle Vista Homeowners' Association. He is now opposing a bond for the aquatic center. Mr. Kreck wanted it known that he is part of the homeowners' association and part of a citizens group against the bond for the aquatic center. He didn't want his role in the citizens group to affect the timing of the completion of the Valle Vista road reconstruction project. He reported that nearly all who returned his mailing were opposed to the aquatic center.

Ms. Reed indicated that the Parks Department had asked to be on the agenda for November 3rd but then called to say they would not be ready by that date.

Mayor Henderson reported that paving is going well throughout the City, even with the milling that needs to be done in Valle Vista. He then went on to discuss retention ponds, saying there have been a number of vehicles about to run into those ponds. The Mayor said he had discussed the issue with staff, and staff suggested that instead of a rolled curb, the developer should put in a square curb. He asserted, too, that the developer should put railings around the ponds, between the pond and the road. Mayor has asked staff for a list of those ponds that are already completed and the City would have to work on to put the railings.

Regarding Endress Hauser, the Mayor told the Council that they won an Excellence in Business award from the State of Indiana. They have invited the Council to see their operation, and the Mayor suggested around 5:30 on a Council night for the tour, after which the Council would come back here for their meeting. It was the consensus of the Council that this was a good idea and the Mayor said he would ask Endress Hauser if the Economic Development Commission could be included. Mr. Armstrong suggested November 15th. The Mayor will check with Endress Hauser about this date.

Mayor Henderson noted that an improper e-mail dealing with election issues went out last week, and told the Council it is being dealt with at the City level.

With no further business, the meeting adjourned at 7:55 p.m.